

5.01: Continuing Education Requirements

(1) **Home Inspectors and Associate Home Inspectors** are required, as a condition of license renewal, to complete a minimum of 12 contact hours of continuing education activities per renewal cycle. A renewal cycle consists of the 24 months prior to each renewal date (For lapsed, expired, suspended, revoked or surrendered licenses, see 266 CMR 3.02 and 3.03).

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(2) A **Registrant** whose license is issued during the 24-month renewal cycle shall have his/her continuing education activities prorated on the bases on one contact hour per month from the date of issue to the date of renewal.

(3) Only those continuing education activities, which are completed during the renewal cycle, will be accepted as qualifying continuing education activities for that period.

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(4) Instructors of courses, workshops, or seminars shall be credited one contact hour for each continuing education activity hour taught by the instructor.

(5) All continuing education activities set forth in 266 CMR 5.02 are subject to approval by the Board.

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Deleted: (2) Instructors of courses, workshops, or seminars may be credited one contact hour for each continuing education hour of the activity taught by the instructor. ¶
(3) Only those continuing education activities which are completed during the required continuing education period (24 months prior to each renewal date) will be acceptable as qualifying continuing education activities for that period. ¶
(4) All continuing education activities other than Board approved continuing education programs set forth in 266 CMR 5.02 are subject to approval by the Board.

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5.02: Verification/Approval of Registrant's Continuing Education Activities

(1) At the time of license renewal, each **Registrant** is required to submit to the **Board** a signed statement on a form provided by the **Board** attesting under the pains and penalty of perjury to satisfaction of the continuing education requirements.

(2) For each continuing education contact hour earned by participation in a continuing education program, a registrant must be able to provide documentation of the following:

- (a) the title of the program or course;
- (b) the number of hours spent in the program or course;
- (c) the name of the Board-recognized entity or the academic institution that sponsored the program or course; and
- (d) the date(s) and location that the program or course was given.

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(3) For each continuing education activity hour earned by teaching courses, workshops or seminars, the **Registrant** must be able to document the following information:

- (a) the title of the course;
- (b) date(s) the course was presented or participated in;

- (c) institution or sponsoring agency; and
(d) the number of hours the registrant spent teaching or participating in the course.

(4) The **Board** may review and/or randomly audit the documentation of any **Registrant's** continuing education requirements and may request the documentation described in 266 CMR 5.02(1) through (4) for two prior licensure renewal/continuing education periods. The **Board** shall determine whether the activity/program documentation submitted meets all criteria for continuing education as specified in 266 CMR 5.00.

(5) Continuing education activities which do not meet the requirements of 266 CMR 5.00 may be rejected in part or in whole by the **Board**.

(6) Any incomplete or inaccurate documentation of continuing education may be rejected in part or in whole by the **Board**.

(7) The **Board** may determine requirements to be fulfilled in order to allow a **Registrant** who has not met the continuing education requirement to renew his/her license.

(8) Failure to complete or provide required documentation of completion of continuing education requirements may result in non-renewal of a license or disciplinary action.

5.03: Verification/Approval of Provider Continuing Education Programs and Activities

1. The **Board** shall recognize as providers all schools approved by the Massachusetts Department of Education without application, appearance before the **Board**, submission of the course curriculum and or the instructors name and vitae. Further, the **Board** shall accept the number of credit hours indicated on the certificate¹, provided by the school, to the named individual, as continuing education credits.

2. The **Board** shall recognize as providers all societies and trainers (including unions) approved by the Massachusetts Division of Professional Licensure boards for architects, engineers, electricians, plumbers and gas fitters, home inspectors, sanitarians without application, appearance before the **Board**, submission of the course curriculum and/or the instructors name and vitae. Further, the **Board** shall accept the number of credit hours indicated on the certificate, provided by the society and or trainers, to the named individual, as continuing education credits.

3. The **Board** shall recognize as providers all training facilities approved by the political subdivisions of the commonwealth of Massachusetts without application, appearance before the **Board**, submission of the course curriculum and or the instructors name and vitae. Further, the **Board** shall accept the number of credit

¹ A three hour credit course from a recognized college and or university, that meets three times a week (3 hours per week) for fifteen weeks with be credited 45 hours continuing education credit; a four hour credit course meeting four time per week (4 hours per week) will be credited with 60 hours continuing education credit.

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(a) procedures and practices in home inspecting;

(b) technical aspects of home construction;

(c) plumbing, electrical, and building code interpretation, enforcement and review;

(d) federal and state statutes, regulations and rules;

(e) business-related and business-law related courses. ¶

(2) The Board may approve continuing education course work that complies with 266 CMR 5.03(1) if the organization providing the course work submits to the Board the following information 90 days prior to commencement of the course:¶

(a) name, date, and location of continuing education course work;

(b) detailed description of the course content;

(c) description of the educational objectives;

(d) description of each instructor's education, training, and experience background; and

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hours indicated on the certificate, provided by the facility and or trainers, to the named individual, as continuing education credits.

4. Any person can be come a Continuing Educational Provider. In order to become an individual Provider the applicant must:

- a. Appear before the **Board**.
- b. Submit an application on forms approved by the **Board**.
- c. Be approved by the **Board** as a Continuing Educational Provider.

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A. Responsibilities of the individual provider:

a. Submit the course information including:

- i. Name, date, and location of continuing education course work.
- ii. Detailed description of the course content.
- iii. Description of the educational objectives.
- iv. Description of each instructor's education, training, and experience background.
- v. Continuing education hours offered for completing the course.

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- b. Take attendance prior to and at the end of the seminar or course and maintain a record of those in attendance.
- c. Issue a certificate of attendance.
- d. The provider shall report any change in the course content or instructor to the **Board** prior to commencement of the course.

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5. For a program to be eligible for approval for continuing education hours the course content shall directly relate to the practice of home inspecting, home construction, structural analysis and design. The educational objectives must exceed a basic level of knowledge as it relates to the inspection of homes. The course work shall include the following subjects:

- a. Procedures and practices in home inspecting.
- b. Technical aspects of home construction.
- c. Plumbing, electrical, heating, building code interpretation, enforcement and review, structural and architectural subjects.
- d. Federal and state statutes, regulations and rules.
- e. Business-related and business-law related courses.

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6. The **Board** may approve continuing education course work that complies with 266 CMR 5.03.5 if the individual provider providing the course work submits to the **Board** the following information ninety (90) days prior to commencement of the course:

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- a. No continuing education course shall be approved for more than six hours at any one sitting. However, if the course is broken down into segments of less than six hours each, the **Board** shall approve the entire total even though the total exceeds six hours.

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7. Educational courses may, at the discretion of the ***Board***, be approved retroactively.

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8. The ***Board*** may revoke the approval of any continuing education course work if the provider fails to comply with any provision of this section.

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5.04: Waivers of Continuing Education Requirements

(1) The ***Board*** may waive the continuing education requirement for any ***Registrant*** who, for reasons of health, disability, out of state military service, or undue hardship, cannot meet the requirements.

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(2) An application for a waiver of the continuing education requirement shall be submitted to the ***Board*** on a form provided by the ***Board***.

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(3) Waivers of the continuing education requirement shall be effective for no more than one year, beginning the day after the license expires.

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(4) ***A Registrant*** may apply for three consecutive waivers.

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5.05: Appeals on Continuing Education Matters

Any individual who wishes to appeal the decision of the ***Board*** regarding continuing education matters must submit a letter of appeal to the ***Board*** within 21 days of the receipt of the ***Board's*** decision. The requestor must supply the ***Board*** with additional data requested by the ***Board***. The requestor may be asked to appear before the ***Board***. The ***Board***, in its discretion, may allow an individual appealing its decision regarding a continuing education matter to continue to perform ***Home Inspections*** while the ***Board*** considers the appeal.

Deleted: (5) If a temporary waiver is granted, the ***registrant*** shall comply with all continuing education requirements for all subsequent renewal periods, after such time that the waiver expires unless a subsequent waiver is granted

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REGULATORY AUTHORITY

M.G.L. c. 13, § 96, c.112, §§ 221-225.

(1) For a program to be eligible for approval for continuing education hours, the course content shall directly relate to the practice of home inspecting or home construction and the educational objectives shall exceed a basic level of knowledge as it relates to the inspection of homes. The course work shall include the following subjects:

- (a) procedures and practices in home inspecting;
- (b) technical aspects of home construction;
- (c) plumbing, electrical, and building code interpretation, enforcement and review;
- (d) federal and state statutes, regulations and rules;
- (e) business-related and business-law related courses.

(2) The Board may approve continuing education course work that complies with 266 CMR 5.03(1) if the organization providing the course work submits to the Board the following information 90 days prior to commencement of the course:

- (a) name, date, and location of continuing education course work;
- (b) detailed description of the course content;
- (c) description of the educational objectives;
- (d) description of each instructor's education, training, and experience background; and
- (e) continuing education hours offered for completing the course.

The provider shall report any change in the course content or instructor to the Board prior to commencement of the course.

(4) The Board shall revoke the approval of any continuing education course work for failure of the provider to comply with the provisions of this section.